

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JAMES H. SUTHERLIN,

Plaintiff,

v.

BRUCE BANNISTER, et al.,

Defendants.

3:08-cv-00640-LRH-RAM

ORDER

Before this Court is the Report and Recommendation of U.S. Magistrate Judge Robert A. McQuaid (#54<sup>1</sup>) entered on August 25, 2010, recommending granting Defendants' Motion for Summary Judgment (#48) filed on April 22, 2010, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) (B) and Local Rule 1B 3-2. The Court determines that the Magistrate Judge's Report and Recommendation (#54) entered on August 25, 2010, should be adopted and accepted.

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<sup>1</sup>Refers to court's docket number.

1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation  
2 (#54) entered on August 25, 2010, is adopted and accepted, and Defendant's Motion for Summary  
3 Judgment (#48) is GRANTED.

4 IT IS SO ORDERED.

5 DATED this 6th day of October, 2010.

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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE